

Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BENZIMIDAZOLE ACETONITRILES

the specification of which

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____.

☒ was filed as PCT international application

Number PCT/EP04/052137

on 10 September 2004,

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
<u>03102741.0</u>	<u>Europe</u>	<u>12 September 2003</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.

Filing Date

**Status (pending, patented,
abandoned)**

PCT/EP04/052137

10 September 2004

And we (I) hereby appoint the following registered practitioner(s):

Customer Number

22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to

Customer Number

22850

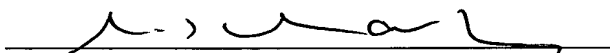
We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Matthias SCHWARZ

NAME OF FIRST OR SOLE INVENTOR

Residence: 53, rue des Paquis

1201 Genève, Switzerland


Signature of Inventor

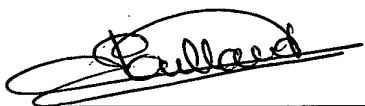
Citizen of: Switzerland

Mailing Address: same as above

28.02.06
Date

Pascale GAILLARD

NAME OF SECOND JOINT INVENTOR



Signature of Inventor

28.02.06

Date

Patrick PAGE

NAME OF THIRD JOINT INVENTOR



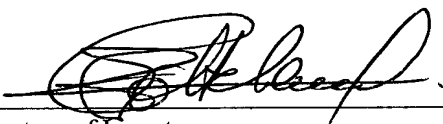
Signature of Inventor

28.02.06

Date

Jean-Pierre GOTTELAND

NAME OF FOURTH JOINT INVENTOR



Signature of Inventor

28.02.06

Date

Russell J. THOMAS

NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

(OSMMN 09/2005)

Residence: Domaine de la Prasle 243 route du Fer a
Cheval Bat C2, 74160 Collonges sous Saleve, France

Citizen of: France

Mailing Address: same as above

Residence: Naxos-Les Cyclades Avenue de Geneve,
74160 Saint-Julien-en-Genevois, France

Citizen of: France

Mailing Address: same as above

Residence: Chemin des Crets 423, 74160 Beaumont,
France

Citizen of: France

Mailing Address: same as above

Residence: Strada Comunale di Salteano 1
Asciano 53100 Siena, Italy

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Application Serial No.	Filing Date	Status (pending, patented, abandoned)
<u>PCT/EP04/052137</u>	<u>10 September 2004</u>	_____
_____	_____	_____

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Signature of Inventor

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Citizen of: Switzerland

Mailing Address: same as above

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NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

Patrick PAGE

NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

Jean-Pierre GOTTELAND

NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

Russell J. THOMAS

NAME OF FIFTH JOINT INVENTOR



Signature of Inventor

3rd March 2006
Date

(OSMMN 09/2005)

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